

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

OKLAHOMA POLICE PENSION AND  
RETIREMENT SYSTEM,

Plaintiff,

- against-

U.S. BANK NATIONAL ASSOCIATION  
(as Trustee Under Various Pooling and  
Servicing Agreements),

Defendant.

Civil Action No. 1:11-CV-8066-JGK

**Honorable John G. Koeltl**

**PLAINTIFF'S MOTION FOR  
CLASS CERTIFICATION AND APPOINTMENT OF  
CLASS REPRESENTATIVE AND CLASS COUNSEL**

PLEASE TAKE NOTICE that, upon the Declaration of Deborah Clark-Weintraub executed on August 1, 2014 and the exhibits thereto, including the Declaration of Dean T. Smith and Expert Reports of Richard K. Green, Ph.D, and Michael L. Hartzmark, Ph.D., dated August 1, 2014; the accompanying Memorandum of Law, dated August 1, 2014; and all prior pleadings and proceedings herein, Plaintiff Oklahoma Police Pension and Retirement System ("Plaintiff"), will move this Court, before the Honorable John G. Koeltl, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 12B, New York, New York, as soon as counsel may be heard, for an Order pursuant to Federal Rules of Civil Procedure 23(a), (b)(1), (b)(3) and 23(g):

(1) Certifying a class of all persons and entities that held the Bear Stearns Adjustable Rate Mortgage Notes identified in Appendix A to the accompanying memorandum of law at any time on or after March 14, 2008 and who were damaged as a result of Defendant's misconduct;<sup>1</sup>

(2) to appoint Plaintiff as Class Representative; and

(3) to appoint Scott+Scott, Attorneys at Law, LLP as Class Counsel.

Dated: August 1, 2014

Respectfully submitted,

**SCOTT+SCOTT,  
ATTORNEYS AT LAW, LLP**

s/ Deborah Clark-Weintraub  
Deborah Clark-Weintraub (DW-6877)  
Beth A. Kaswan (BK-0264)  
William C. Fredericks (WF-1576)  
Max Schwartz (MS-2517)  
Donald Broggi (DB-9661)  
The Chrysler Building  
405 Lexington Avenue, 40th Floor  
New York, NY 10174  
Tel.: 212-223-6444  
Fax: 212-223-6334  
Email: dweintraub@scott-scott.com  
bkaswan@scott-scott.com  
wfredericks@scott-scott.com  
mschwartz@scott-scott.com  
dbroggi@scott-scott.com

*Counsel for Plaintiff Oklahoma Police Pension and  
Retirement System*

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<sup>1</sup> Excluded from the proposed Class is Defendant and its respective officers, affiliates, and directors at all relevant times, members of their immediate families, and their legal representatives, heirs, successors, or assigns, and any entity in which Defendant has or had a controlling interest.